IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 13837 of 2000

Between:

P. Jyothirmai, D/o. Nageswara Rao, aged 18 years,

Student, r/o. D.No.11-450, Panduranganagar,

1st Lane, Amaravathi Road, Guntur District.

..... PETITIONER

AND

1. The Board of Intermediate Education,

rep.by its Secretary, Vidya Bhavan,

Nampally, Hyderabad.

2. The Controller of Examinations,

Board of Intermediate Education,

Vidya Bhavan, Nampally, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not providing recounting provision in respect of instant examination as arbitrary, illegal, improper and violative of Articles 14 and 16 of the Constitution of India and direct the respondents to summon the answer script of
Chemistry-II paper Instant Examination of the petitioner and on noticing that the

petitioner's answer script is not properly evaluated and then direct the respondents to properly evaluate the Answer Script of Chemistry Paper-II Instant Examination of the petitioner and declare the result of the petitioner on such evaluation.

Counsel for the Petitioner : MR.NUTY RAM MOHAN RAO

Counsel for the Respondents : GP FOR SCHOOL EDUCATION

The Court made the following :

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O R D E R :

The complaint of the petitioner is that the Board of Intermediate Education acted arbitrarily in not providing a provision for recounting and revaluation of the answer scripts of Intermediate Public Examination. The absence of such a provision cannot be said to be arbitrary or illegal as held by the Supreme Court in **Maharashtra S.B.O.S. & H.S.Education v. Paritosh.**

Therefore, the writ petition is misconceived and accordingly dismissed. No costs.

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(V.V.S. RAO, J.)

Dt.25-08-2004.

Msr.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Board of Intermediate Education,

rep.by its Secretary, Vidya Bhavan,

Nampally, Hyderabad.

2. The Controller of Examinations,

Board of Intermediate Education,

Vidya Bhavan, Nampally, Hyderabad.

3. Government Pleader for School Education, High Court of

A.P., Hyderabad.

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HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.13837 of 2000

Dt.25-08-2004.

(Msr)